

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 KIRANPAL SANDHU, et al.,)
)
 Defendant.)
 _____)

NO. CR05-393JCC

ORDER CONTINUING TRIAL
DATE AND PRETRIAL MOTIONS
DEADLINE

TO: THE CLERK OF THE COURT;
AND TO: UNITED STATES PROSECUTING ATTORNEY;
AND TO: HIS/HER ASSIGNED DEPUTY

THIS MATTER comes before the Court on a Motion to Continue Pretrial
Motions Date and Trial Date, submitted by defendants Kiranpal Sandhu,
Musakarim Ahmach, Tai Chi Dang, Anthony Quang Dao, and Dung Quong
Phan. The Court has considered the Motion and all of the files and records
herein.

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THIS COURT FINDS THAT:

- 1) This is a criminal case charging the defendants with participation in an international conspiracy to traffic in marijuana and ecstasy. The above-named defendants have moved for a continuance of the trial date because they require additional time to prepare for trial. The Government does not oppose the motion. Based on the facts set forth in the pleadings, the Court makes the Findings and Order set forth below.
- 2) This case is sufficiently complex such that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the current time limits, within the meaning of Title 18, United States Code, Section 3161(h)(8)(B)(ii).
- 3) Failure to grant a continuance in this case will likely deny the defendants the reasonable time necessary for effective preparation for trial and other pretrial proceedings, taking into account the exercise of due diligence. See Title 18, United States Code, Section 3161(h)(8)(B)(iv).
- 4) Failure to grant such a continuance in this proceeding will likely result in a miscarriage of justice within the meaning of Title 18, United States Code, Section 3161(h)(B)(i).

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- 1 5) The ends of justice served by granting this continuance outweigh the
2 interests of the public and the defendants in any speedier trial, within the
3 meaning of Title 18, United States Code, Section 3161(h)(8)(A).
4

5 **THE COURT THEREFORE ORDERS THAT:**

- 6 1) The motion to continue the trial date is granted.
7 2) The trial shall be continued from December 12, 2005 to April 17, 2006.
8 3) The Court further orders that all pretrial motions shall be filed on or
9 before February 21, 2006.
10 4) The period of time from the current trial date until the new trial date
11 encompassed by this continuance shall be excluded from the
12 computation of time under the Speedy Trial Act, Title 18, United States
13 Code, Section 3161 et seq.
14 5) Defendants shall file a speedy trial waiver encompassing the excluded
15 time period no later than December 10, 2005.
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19 DONE IN OPEN COURT this 1st day of December, 2005.
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John C. Coughenour
United States District Court Judge

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Presented by:

/s/ Jennifer Cannon-Unione

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/s/ Hunter MacDonald

Hunter MacDonald, WSBA # 22857
Counsel for Musakarim Ahmach

/s/ Suzanne Lee Elliott

Suzanne Lee Elliott, WSBA # 12634
Counsel for Dung Quoc Phan

/s/ Robert Goldsmith

Robert Goldsmith, WSBA # 12265
Counsel for Anthony Quang Dao

/s/ Lee Covell

Lee Covell, WSBA # 952
Counsel for Tai Chi Dang

Copy Received; Approved:

/s/ Jill Otake
Jill Otake
Assistant United States Attorney

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